

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**UNITED STATES OF AMERICA,**

**V.**

**07-CR-96**

**RALPH TYUS,**

**Defendant.**

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**THOMAS J. McAVOY,  
Senior United States District Judge**

**DECISION & ORDER**

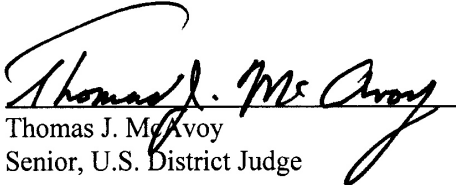
On May 15, 2007, the Court accepted Defendant's guilty plea to Count 1 of Indictment 07-CR-96 charging him with being a previously convicted felon in possession of ammunition in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). See 5/15/07 Min. Entry [dkt.# 19]. At the time he entered his guilty plea, Defendant argued that he should be released on bail pending imposition of his sentence because, *inter alia*, he had a serious medical condition that was not being properly attended to at the county jail where he is being held. In order for the Court to evaluate this contention, defense counsel subpoenaed Defendant's medical records from the jail which the Court reviewed *in camera*. The Court found no indication of a serious medical condition that was not being attended to by the jail's medical staff. Defense counsel also reviewed the records and was unable to direct the Court to any indication that a serious, unattended medical condition exists which, in the Court's opinion, would warrant Defendant's release pending

imposition of his sentence.

Therefore, and in light of Defendant's guilty plea and his criminal history, Defendant's application for release pending imposition of his sentence is **DENIED**. See 18 U.S.C. § 3143(a).

**IT IS SO ORDERED**

DATED: June 18, 2007

  
Thomas J. McAvoy  
Senior, U.S. District Judge